

Crescent Creek Wild and Scenic River Question and Answer Sheet

***This sheet will be updated as the Forest Service receives more questions, and answers are determined based on The Wild and Scenic Rivers Act.**

How is the Boundary Designated?

- The Wild and Scenic Rivers Act (1968; Public Law 90-542) required that each federally administrated river have a legally established boundary. The boundary is established to protect the outstandingly remarkable values that the river is designated for (specifically, free-flow, water quality, and other values such as recreation, fisheries, hydrology, etc.), including the stream, stream bed and banks attached to the stream, while being easily monumented on the ground.
- Section 4(d) specifies that until boundaries are officially established for designated rivers, an interim boundary will be in effect, generally comprising “that area measured with one-quarter mile from the ordinary high water mark on each side of the river.” This protects river-related values.
- Section 3(b) requires establishing detailed boundaries, therefore boundaries shall include an average of not more than 320 acres of land per mile measure from the ordinary high water mark on both sides of the river. The 320 acres per mile is intended to allow flexibility in setting the final boundary to take into account what is needed to protect the free-flow, water quality, and ORVs while being responsive to public comment, private ownership, and other factors such as the need to protect tributaries, the presence of federal or private land, and how the ORVs are related to the river and surrounding landscape. This means that the river boundary (corridor) could be narrow in places and wide in others, or much wider on one side than the other. The corridor must be wider than just the ‘bankfull’ width of the river itself.

Why is Crescent Creek designated as a Wild and Scenic River if the flow comes out of a dam?

- The original Wild and Scenic Rivers Act of 1968 described “Recreational River Areas- Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.”
- Thus when Congress designated Crescent Creek in the Omnibus Oregon Wild and Scenic Rivers Act of 1988, Public Law 100-557 it designated it as a recreational river. The Forest Service must comply with this Act.
- Section 16 (b) in the original W&SRA of 1968, ““Free-Flowing” as applied to any river or section of river, meaning an existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national wild and scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the national wild and scenic rivers system”

Why has the Forest Service taken so long to develop a Management Plan?

- In order to establish a WSR Management Plan, the Forest Service must develop a boundary, complete an environmental analysis, and make a permanent amendment to the Deschutes National Forest Land and Resource Management Plan. The Crescent Ranger District has

attempted to complete this process in the past but were unsuccessful at coordinating with partner agencies and landowners in the area. With changing priorities and employee turnover, a final management plan was never created.